Supreme Court's concern over misuse of POTA

†4871. SHRI RAM JETHMALANI

SHRI KAPIL SIBAL :

Will the Minister of HOME AFFAIR be pleased to state:

(a) whether it is a fact that Supreme Court have expressed concern over the misuse of POTA in various States of the country during the hearing on Parliament attack case recently;

(b) if so, whether Government have identified those States where POTA has been misused;

(c) if so the details of the States; and

(d) what action Government have taken in this regard so far?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI HARIN PATHAK): (a) The Supreme Court has not made any observation regarding the misuse of POTA in States during the hearing of the Parliament House Attack Case.

(b) to (d) It has been alleged from time to time in certain quarters that the provisions of POTA are being applied in cases where they should not be invoked, thus giving rise to apprehensions regarding the Act being misused. The Central Government has constituted a Review Committee under section 60 of the Prevention of Terrorism Act, 2002 to take a comprehensive view of the use of the said Act in various States and accordingly, give its findings and suggestions for removing shortcomings, if any, in the implementation of the said Act and to suggest measures to ensure that the provisions of the Act are invoked for combating terrorism only. This Review Committee has been notified in the Gazette of India—Extraordinary on 4-4-2003.

Stains Missionary Murder

4872. SHRI SHANKAR ROY CHOWDHURY : Will the Minister of HOME AFFAIRS be pleased to state:

(a) whether the accused in the Stains Missionary Murder case have been brought to trial;

(b) if so, the progress of the case and its present position;

(c) whether Government consider the murder an act of terrorism; and

(d) if so, whether Government are contemplating bringing the case within the purview of POTA?

THE MINISTER OF STATE IN THE MINISTRY OF HOME AFFAIRS (SHRI I. D. SWAMI) : (a) Yes, Sir,

(b) The position in this regard is as under :

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†Original notice of the question was received in Hindi.